

JC17 Rec'd PCT/PTO 24 MAR 2005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ralph BRAUN
Title: NUCLEIC ACID CONSTRUCTS FOR GENE EXPRESSION
Int. Appl. No.: PCT/GB03/04218
Int. Appl. Filing Date: 09/29/2003
Examiner: Unassigned
Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding International application, PCT/GB03/04218. Copies of the documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO and the JPO. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Applicant respectfully requests that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Richard C. Peet
Reg No. 34,717

Date March 24, 2005

By _____

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Registration No. 35,792

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known 10/529011		
Int. Application Number		PCT/GB03/04218				
Int. Appl. Filing Date		09/29/2003				
First Named Inventor		Ralph BRAUN				
Group Art Unit		Unassigned				
Examiner Name		Unassigned				
Attorney Docket Number		036481-0165				
Sheet	1	of	1			

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages; Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,162,222	A	Linda GUARINO et al.	11-10-1992	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A2	FR	2 715 664	A	PROTEINE PERFORMANCE SA	08-04-1995		
	A3	WO	98/30707	A	UNIV LONDON et al.	07-16-1998		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A4	VAN DRUNEN et al., "Immunization of livestock with DNA vaccines: current studies and future prospects," <u>Vaccine</u> , March 21, 2001, pp. 2474-2479, Vol. 19, No. 17-19, Butterworth Scientific, Guildford, GB	

Examiner Signature	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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